THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.21995 OF 2005

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Dt: 07.10.2005

Between:

Manisha College of Nursing

.. Petitioner

AND

The Principal Secretary to Government,

Health, Medical and Family Welfare Department,

Secreatiat, Hyderabad.

.. Respondent

ORDER:

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The petitioner is a college of Nursing and it was accorded permission and approval with an intake of 40 seats. On 04.11.2004, it made a representation to the respondents for enhancing the intake to 50. Inspection is said to have been caused on 29.11.2004, and a report is said to have been submitted by the competent authority on 03.12.2004, making positive recommendation. The grievance of the petitioner is that no orders have been passed in the matter so far.

Heard the learned counsel for the petitioner and the learned Government Pleader for Medial and Health.

The limited grievance of the petitioner is as to enhancement of intake from 40 to 50. For this purpose, it has already made an application on 04.11.2004. The 1st respondent is the authority competent to order enhancement of seats. On the

directions issued by the 1st respondent, an inspection was caused on 29.11.2004, and a report was submitted on 03.12.2004, recommending the enhancement. It is further represented that a second inspection was also caused on 06.09.2005, which also ended in favour of the petitioner. The 1st respondent issued Memo, dated 03.02.2005, directing the 2nd respondent to take further action in the matter.

A perusal of the letter, dated 03.12.2004, addressed by the 2nd respondent discloses that he made a request to the 1st respondent to pass appropriate orders, to be in force for the academic year 2005-06. Reference was also made to the report of the Committee and its recommendations. In that view of the matter, the Memo, dated 19.07.2005, cannot be said to be in accordance with the relevant procedure. It is the 1st respondent that is to pass orders taking into account the reports as well as the recommendation of the 2nd respondent.

In that view of the matter, the writ petition is disposed of directing the 1st respondent to pass appropriate orders on the application of the petitioner for enhancement of intake from 40 to 50, duly taking into account, the recommendation of the 2nd respondent as well as the reports that have been submitted so far, within a period of ten days from the date of receipt of a copy of this order. There shall be no order as to costs.

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L.NARASIMHA REDDY,J

Date:07.10.2005

Note: Furnish copy in three days.

(B/o.) ***TS***